



**PAUL HIGA**  
Chief Probation Officer

# COUNTY OF LOS ANGELES PROBATION DEPARTMENT

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June 3, 2005

**TO:** Supervisor Gloria Molina, Chair  
Supervisor Yvonne B. Burke  
Supervisor Zev Yaroslavsky  
Supervisor Don Knabe  
Supervisor Michael D. Antonovich

**FROM:** Paul Higa  
Chief Probation Officer

**SUBJECT: DEPARTMENT OF JUSTICE SETTLEMENT AGREEMENT -- FIRST  
SEMI-ANNUAL MONITORING REPORT**

In accordance with the settlement agreement between the County of Los Angeles (County), the Los Angeles County Office of Education (LACOE), and the United States Department of Justice (DOJ), attached is the First Semi-Annual Monitoring Report prepared by the designated Monitor and the Monitoring Team members.

The Monitors' report indicates that the County and LACOE have met the conditions of the first reporting period, which required both agencies to submit certain documents to the DOJ by March 28, 2005, for review and approval. Although the Monitors did not intend to report on the assessment of each provision in this initial period, the report includes observations in several of the provision areas, as well as suggestions for strengthening existing compliance plans. Key observations and concerns are noted further below.

## **BACKGROUND**

A settlement agreement with the DOJ was fully executed on August 24, 2004, and allows the County and LACOE to address concerns of confinement practices, health, mental health, and education services provided to minors at the County's three juvenile halls over a three-year period. The settlement agreement designated Mr. Michael Graham as the Lead Monitor responsible for overseeing compliance monitoring by a Monitoring Team, which includes seven County and LACOE-funded experts in the fields

of psychiatry, mental health, medicine, safety and sanitation, juvenile justice programs, juvenile detention practices, and education.

The Monitors are required to visit the County's three juvenile halls on a quarterly or semi-annual basis, to review and report on the County and LACOE's progress regarding compliance with the 52 settlement agreement provisions. The Monitors' reports are required semi-annually, or as directed by the parties.

### **FIRST REPORTING PERIOD – GOALS & MONITORS' FINDINGS**

Pursuant to the agreement, the Monitors and DOJ counsel conducted their initial monitoring of the juvenile halls during the week of February 14-18, 2005. The goals for the initial reporting period were for the County and LACOE to submit certain documents to the DOJ by March 28, 2005, for review and approval as follows: 1) completed Action Plans (Paragraph 68); 2) developed/revised Policies and Procedures in support of the Action Plans (Paragraph 69); and 3) auditing/measurement tools used to determine compliance levels.

As referenced above, and consistent with my March 23, 2005 Initial Quarterly Compliance Progress Report to your Board, the Monitors' report indicates that the County and LACOE have met the conditions of the first reporting period. The report also references the County's and LACOE's desire to achieve substantial compliance as defined by the DOJ in each area of concern for a period of 12 consecutive months as quickly as operationally feasible.

Throughout the monitoring period, each of the agencies has engaged in ongoing dialogue with the Monitors and are continuing to implement the necessary changes in accordance with the settlement agreement. Although the Monitors did not have time to assess the current status of each settlement agreement provision, all provisions are anticipated to be reviewed during the next quarterly monitoring visit scheduled for the week of June 6-10, 2005. However, the Monitors provided comments regarding their observations of most provision areas, which included affirmations of progress, reemphasis of areas of continuing concern, and suggestions for strengthening existing provisional compliance plans. The Monitors' key observations and concerns are briefly described below.

#### **Department of Health Services - Juvenile Court Health Services**

- Medically-fragile minors are being tracked appropriately as they move between facilities and their medical records are being safely and securely transported between facilities.
- Minors' side effects from psychotropic medications are being tracked and recorded appropriately.

### **Department of Health Services - Juvenile Court Health Services, Cont'd**

- Minors are being routinely transported to medical appointments.
- Most medical encounters are occurring in a confidential location, however the medical admissions processing station at one of the facilities needs to be relocated to a more confidential setting.

### **Probation Department**

- Probation is providing an effective grievance system for court wards, which should be further strengthened through effective tracking processes.
- The training of staff in suicide prevention, supervision of youth, and mental health issues is ongoing.
- The Use of Force policy and procedure is being revised to reflect a more youth-centered approach.
- Incidents involving the use of Oleoresin Capsicum Spray (OC Spray) have been greatly reduced.
- Incidents involving force are immediately administratively reviewed after their occurrence by supervisory staff.
- Incidents of youth-on-youth violence are undergoing increased scrutiny. Use of force and youth-on-youth violence incidents receive further scrutiny in weekly meetings attended by supervisors and managers. Strategies were proffered by the Monitors to improve the outcomes of these meetings.
- All agencies are involved in Individual Behavior Management Planning meetings where specialized programs are being created for minors who require such programming.
- Enhanced efforts should be made to locate and service (house and educate) minors who are mentally ill or developmentally disabled.

Long-term issues, such as effective substance abuse programming and effective facility-wide behavior management are currently being addressed by the involved agencies with Monitors' input.

#### **Department of Mental Health**

- Mental Health staffing levels at the juvenile halls have been increased. DMH continues to strive to hire qualified, competent staff.
- Youth are being routinely screened for serious mental health issues upon admission to juvenile hall. Suggestions for a secondary screening for substance abuse issues were offered.
- Assessments are being completed in a timely manner, although the overall quality of the assessment varied by clinician.
- Training of clinicians in mental health assessments is ongoing. The implementation of a structured diagnostic interview tool was suggested.
- Case management and counseling services have improved, but are impacted by difficulties tracking youth moving between facilities.
- Psychotropic medications are being appropriately prescribed and monitored by Psychiatrists.
- Youth on suicide watch are being appropriately supervised, however, there needs to be enhanced timely clinical follow-up and tracking when youth move between facilities. Suggestions were made regarding utilizing alternative suicide assessment tools.

#### **Los Angeles County Office of Education**

- Records of Special Education students are actively being sought, however the records retrieval process should consider additional ways to obtain student records in a more timely manner.
- Individual Educational Plan meetings are being held within legal timeframes. Parents are invited and minors are being held at the initiating facility until after the meeting takes place.
- A plan for small group instruction is in place, however the full implementation has not begun.
- Language and speech services are being provided to minors.
- Some space issues for the provision of special education services remain.

As the lead agency, Probation will continue working with DHS, DMH, and LACOE to address the areas of concern to achieve compliance with the settlement agreement. We will provide your Board with our Second Quarterly Compliance Progress Report by the end of this month, and will include progress made and/or deficiencies identified by the DOJ Monitors during their June 6 – 10 visit. The Second Semi-Annual Monitors' Report is anticipated to be completed in September 2005.

County Counsel, DHS, DMH and LACOE concur with this report.

If you have any questions, please contact me at (562) 940-2501, or your staff may contact Shirley Alexander, Chief, Detention Services Bureau at (562) 940-2503.

PH:SA:RB:za

Attachment

cc: Violet Varona-Lukens, Executive Officer, Board of Supervisors  
Raymond G. Fortner, Jr., County Counsel  
David E. Janssen, Chief Administrative Officer  
Tyler McCauley, Auditor-Controller  
Dr. Darline P. Robles, Superintendent, Los Angeles County Office of Education  
Dr. Thomas Garthwaite, Director, Department of Health Services  
Dr. Marvin J. Southard, Director, Department of Mental Health